

PROOF

STATE OF IOWA

Senate Journal

FRIDAY, APRIL 21, 2017

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JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 21, 2017

The Senate met in regular session at 9:07 a.m., President Whitver presiding.

Prayer was sung by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tommy Anderson.

The Journal of Thursday, April 20, 2017, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 2017, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 512](#), a bill for an act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions. ([S-3387](#))

The Senate stood at ease at 10:03 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:01 a.m., President Whitver presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 512

Senator Dix called up for consideration Senate File 512, a bill for an act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions, amended by the House in House amendment S-3387, filed April 21, 2017.

Senator Rozenboom moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that Senate File 512 be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators D. Johnson and Lykam, until they return, on request of Senator Hogg.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

[House File 463](#)

Senator Dix called up for consideration [House File 463](#), a bill for an act relating to the enforcement of motor vehicle laws and the regulation of commercial motor vehicles and certain operators by the department of transportation, and including effective date provisions, amended by the Senate and further amended by the House in House amendment [S-3386](#) to Senate amendment [H-1295](#), filed April 20, 2017.

Senator Breitbach moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Breitbach moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 463](#)), the vote was:

Yeas, 42:

Allen	Chelgren	Hogg	Schneider
Anderson	Costello	Horn	Schultz
Behn	Dawson	Johnson, C.	Segebart
Bertrand	Dix	Kapucian	Shipley
Bisignano	Dvorsky	Kinney	Sinclair
Bolkcom	Edler	Kraayenbrink	Smith
Boulton	Feenstra	Lofgren	Whitver
Bowman	Garrett	Mathis	Zaun
Breitbach	Greene	Quirmbach	Zumbach
Brown	Guth	Ragan	
Chapman	Hart	Rozenboom	

Nays, 6:

Danielson	Jochum	Petersen
Dotzler	McCoy	Taylor

Absent, 2:

Johnson, D.	Lykam
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 463](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Dix, the Senate recessed at 11:20 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 6:15 a.m., Saturday, April 22, 2017, President Whitver presiding.

QUORUM CALL

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent, and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 2017, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 488](#), a bill for an act relating to the workforce housing tax incentives program by requiring allocations to certain housing projects and by increasing the allowable average dwelling unit cost and the percentage of investment for tax incentives for certain housing projects.

[Senate File 500](#), a bill for an act relating to 911 emergency telephone and internet communication systems and making appropriations.

[Senate File 501](#), a bill for an act relating to certain fees collected by the county sheriff.

ALSO: That the House has on April 21, 2017, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 296](#), a bill for an act relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and providing penalties.

[House File 478](#), a bill for an act relating to property tax assessments by modifying requirements for the determination of value, modifying provisions related to the property assessment appeal board by striking the future repeal of provisions relating to the board, modifying procedures and requirements for appeals to the board, and including applicability provisions.

[House File 573](#), a bill for an act relating to the exercise, by school districts, of any broad and implied powers not inconsistent with the laws of the general assembly, and to the construction of statutes related to school district boards and school districts.

ALSO: That the House has on April 21, 2017, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 516](#), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, and providing for other properly related matters, and including effective date and retroactive applicability provisions. ([S-3389](#))

[House File 524](#), a bill for an act relating to controlled substances, including reporting under the drug prescribing and dispensing information program and making penalties applicable. ([S-3388](#))

ALSO: That the House has on April 21, 2017, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 8](#), a concurrent resolution to provide for adjournment sine die.

Read first time and referred to committee on **Rules and Administration**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Dawson, until they return, on motion of Senator Dix; and Senators Allen, Bisignano, Hart, Kinney, Mathis, and Taylor, until they return, on request of Senator Hogg.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

[House File 524](#)

Senator Dix called up for consideration [House File 524](#), a bill for an act relating to controlled substances, including reporting under the drug prescribing and dispensing information program and making penalties applicable, amended by the Senate and further amended by the House in House amendment [S-3388](#) to Senate amendment [H-1341](#), filed April 21, 2017.

Senator Greene moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" ([H.F. 524](#)), the vote was:

Yeas, 26:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Edler	Lofgren	Smith
Bowman	Feenstra	Rozenboom	Whitver
Breitbach	Greene	Schneider	Zaun
Brown	Guth	Schultz	Zumbach
Chapman	Johnson, C.	Segebart	
Chelgren	Kapucian	Shipley	

Nays, 14:

Bolkcom	Dotzler	Horn	Quirmbach
Boulton	Dvorsky	Jochum	Ragan
Costello	Garrett	McCoy	
Danielson	Hogg	Petersen	

Absent, 10:

Allen	Dawson	Kinney	Taylor
Bertrand	Hart	Lykam	
Bisignano	Johnson, D.	Mathis	

The motion prevailed and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Greene moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 524](#)), the vote was:

Yeas, 33:

Anderson	Dotzler	Kapucian	Shipley
Behn	Dvorsky	Kraayenbrink	Sinclair
Bowman	Edler	Lofgren	Smith
Breitbach	Feenstra	Quirmbach	Whitver
Brown	Greene	Ragan	Zaun
Chapman	Guth	Rozenboom	Zumbach
Chelgren	Horn	Schneider	
Danielson	Jochum	Schultz	
Dix	Johnson, C.	Segebart	

Nays, 7:

Bolkcom	Costello	Hogg	Petersen
Boulton	Garrett	McCoy	

Absent, 10:

Allen	Dawson	Kinney	Taylor
Bertrand	Hart	Lykam	
Bisignano	Johnson, D.	Mathis	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 524](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 516](#)

Senator Dix called up for consideration [Senate File 516](#), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, and providing for other properly related matters, and including effective date and retroactive applicability provisions, amended by the House in House amendment [S-3389](#), filed April 21, 2017.

Senator Schneider moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Schneider moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 516](#)), the vote was:

Yeas, 27:

Anderson	Dix	Kapucian	ShIPLEY
Behn	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 13:

Bolkcom	Dotzler	Jochum	Ragan
Boulton	Dvorsky	McCoy	
Bowman	Hogg	Petersen	
Danielson	Horn	Quirnbach	

Absent, 10:

Allen	Dawson	Kinney	Taylor
Bertrand	Hart	Lykam	
Bisignano	Johnson, D.	Mathis	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [Senate File 516](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Dix, the Senate recessed at 7:11 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 7:12 a.m., President Whitver presiding.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 7:13 a.m. until 7:14 a.m., Saturday, April 22, 2017.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ATTORNEY GENERAL

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104. Report received on April 21, 2017.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Friday, April 21, 2017, 7:10 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Hogg, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Approved [HCR 8](#).

Adjourned: 7:15 a.m.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [HOUSE CONCURRENT RESOLUTION 8](#), a concurrent resolution to provide for adjournment sine die.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dix, Whitver, Hogg, Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 2017, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 275](#) – Relating to termination of parental rights proceedings based upon safety or security concerns.

[Senate File 374](#) – Relating to providing legal assistance to indigent persons in criminal proceedings.

[Senate File 403](#) – Relating to the theft of equipment rental property, and making penalties applicable.

[Senate File 411](#) – Relating to contractor registration and licensing by the department of public health and the department of workforce development and related fees and including effective date provisions.

[Senate File 419](#) – Relating to the nurse licensure compact, including provisions for assessments against party states, and including effective date provisions.

[Senate File 451](#) – Relating to certain payments made through a county treasurer's internet site.

[Senate File 484](#) – Relating to pharmacy regulation, including alternate board of pharmacy members, drug disposal program funding, an impaired professionals program, and pharmacy internet sites.

[Senate File 497](#) – Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

AMENDMENTS FILED

<u>S-3387</u>	<u>S.F. 512</u>	House
<u>S-3388</u>	<u>H.F. 524</u>	House
<u>S-3389</u>	<u>S.F. 516</u>	House